

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/699,512 Confirmation No. 3570
Applicant : Bennett, G.N.
Filed : October 31, 2003
TC/A.U. : 1637
Examiner : Fredman, J.N.
Docket No. : 31175413-003002
Customer No. : 51738
Entitled : RECOMBINATION ASSEMBLY OF LARGE DNA FRAGMENTS

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF GEORGE N. BENNETT UNDER 37 CFR § 1.131

I, George N. Bennett, Declare as follows:

I am at least 18 years of age and am competent in all respects to make the following statements.

1. I am the sole inventor for claims 1-8 currently pending in US Patent Application No. 10/699,512.
2. The work presented in US Patent Application No. 10/699,512 was conceived prior to December 10, 1999.
3. Although the dates have been redacted, the attached laboratory PowerPoint presentation (Exhibit A) demonstrates the conception or practice of the invention prior to December 10, 1999.
4. Although the dates have been redacted, the attached laboratory notebook (Exhibit B) demonstrates the conception or practice of the invention prior to December 10, 1999.

I further declare that all statements made herein of my own knowledge are true and made on information believed to be true; further that these statements were made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of any application for which it is used.

Dated: Nov 17 2006

Respectfully submitted,

By George N. Bennett
Dr. George N. Bennett, Ph.D.
Department Chair
Dept. of Biochemistry and Cell Biology
Rice University
Houston, TX